

**UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF FLORIDA  
OCALA DIVISION**

THYSSENKRUPP ELEVATOR  
CORPORATION,

Plaintiff,

v.

Case No: 5:21-cv-132-JSM-PRL

CINCINNATI INDEMNITY COMPANY  
and OCALA INN & SUITES, LLC,

Defendants.

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**ORDER**

**THIS CAUSE** came on for consideration upon the Report and Recommendation submitted by Magistrate Judge Philip R. Lammens (Dkt. 37). The Court notes that neither party filed written objections to the Report and Recommendation and the time for filing such objections has elapsed.

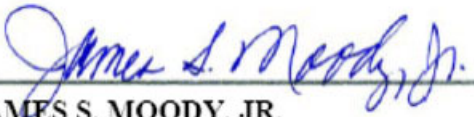
After careful consideration of the Report and Recommendation of the Magistrate Judge in conjunction with an independent examination of the file, the Court is of the opinion that the Magistrate Judge's Report and Recommendation should be adopted, confirmed, and approved in all respects.

**ACCORDINGLY**, it is therefore, **ORDERED AND ADJUDGED**:

1. The Report and Recommendation (Dkt. 37) of the Magistrate Judge is adopted, confirmed, and approved in all respects and is made a part of this order for all purposes, including appellate review.

2. Defendant Ocala Inn & Suites, LLC's Amended Motion to Dismiss Plaintiff's Amended Complaint (Dkt. 22) is granted in part and denied in part. The motion is granted to the extent that the case shall be stayed and administratively closed pending resolution of the underlying state court action.
3. The Clerk is directed to administratively close this case.
4. The parties may move the Court to reopen the case upon motion and good cause shown.

**DONE** and **ORDERED** in Tampa, Florida, this 8th day of December, 2021.

  
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**JAMES S. MOODY, JR.**  
**UNITED STATES DISTRICT JUDGE**

**Copies Furnished To:**  
Counsel/Parties of Record